

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

FRANCIS DONALD COTA, )  
Petitioner, ) No. CV-05-021-CI  
v. ) ORDER ADOPTING REPORT AND  
KENNETH QUINN, ) RECOMMENDATION  
Respondent. )

Magistrate Judge Imbrogno filed a Report and Recommendation on January 5, 2007, recommending Petitioner's "Motion for Reinstatement of Time to File Cause Why Said Matter Should Not be Dismissed as Untimely" be dismissed with prejudice. (Ct. Rec. 49.) After requesting and receiving an extension of time to file objections (Ct. Rec. 53), Petitioner filed an objection to the Report and Recommendation on February 26, 2007. (Ct. Rec. 54.) Petitioner did not respond to the substance of the Report and Recommendation. Rather, he asked that he be allowed to reopen his habeas claim. There being no legal basis for this request, and no legal basis for changing the Report and Recommendation, the court **ADOPTS** the Report and Recommendation. The "Motion for Reinstatement of Time to File Cause Why Said Matter Should Not be Dismissed as Untimely" (Ct. Rec. 45) is **DISMISSED WITH PREJUDICE**.

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**IT IS SO ORDERED.** The District Court Executive shall forward copies of this Order to Petitioner and counsel for Respondent. The file shall be closed.

DATED this 19th day of March, 2007.

*s/Lonny R. Suko*

LONNY R. SUKO  
United States District Court